



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश अधिकारी संस्थान द्वारा प्रकाशित

पट 26]

शिमला, शनिवार, 3 जून, 1978/13 ज्येष्ठ, 1900

[संख्या] 22

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3 जून, 1978/13 ज्येष्ठ, 1900 को समाप्त होने वाले सन्दर्भ में निम्नलिखित विज्ञप्तियाँ 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईः—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. Rev. (LR)A-5 (II)/77-1426, dated the 4th May, 1978.	Inspectorate of Registration.	The Himachal Pradesh Registrars and Sub-Registrars (Maintenance of Fees Accounts Registers) Rules, 1977.
No. EXN. 1(2)/75-Pt., dated the 17th May, 1978.	Excise and Taxation Department	Draft amendment to the Himachal Pradesh General Sales Tax Act, 1968.
No. FDS. A(3)-8/77, dated the 9th May, 1978.	Food and Supplies Department	The Himachal Pradesh Pulses, Edible Oilseeds and Edible Oil Dealers (Storage and Licensing Control) Order, 1978.

भाग 1—वैधानिक नियमों को छोड़कर हिमाचल प्रदेश के राजपत्रान् और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इस्तादि

हिमाचल प्रदेश हाई कोर्ट

NOTIFICATIONS

Simla-1, the 15th May, 1978

No. HHC/GAZ/14-30/74-3266.—The Hon'ble the Chief Justice and Judges are pleased to grant 4 days earned leave with effect from 8-5-1978 to 11-5-1978 with permission to prefix Sunday falling on 7-5-1978 in favour of Smt. Kiran Aggarwal, Sub-Judge-cum-Judicial Magistrate, Kandaghat, District Solan, Himachal Pradesh.

Certified that Smt. Kiran Aggarwal, is likely to join the same post at the same station from where she proceeds on leave.

Also certified that Smt. Kiran Aggarwal would have continued to officiate as Sub-Judge-cum-Judicial Magistrate but for her proceeding on leave.

Simla-1, the 16th May, 1978

No. HHC/GAZ/14-21/75-3287.—In supersession of this Court's Notification of even number, dated the 21st April, 1978, the Hon'ble the Chief Justice and Judges are pleased to grant 21 days earned leave with effect from 22-4-1978 to 12-5-1978 to Shri Roshan Lal Sharma, Senior Subordinate Judge-cum-Chief Judicial Magistrate, Chamba, Himachal Pradesh with permission to suffix closed holidays falling on 13th and 14th May, 1978.

Certified that Shri Roshan Lal Sharma is likely to join the same post at the same station from where he had proceeded on leave.

Also certified that Shri Roshan Lal Sharma would have continued to hold the post of Senior Subordinate Judge-cum-Chief Judicial Magistrate, Chamba but for his proceeding on leave.

By order,
H. D. KAINTHLA,
Registrar.

Simla-1, the 17th May, 1978

No. HHC/GAZ/14-70/76-3341.—The Hon'ble the Chief Justice and Judges are pleased to grant 12 days earned leave with effect from 29-5-78 to 9-6-1978 with permission to prefix and suffix closed holidays and Sunday falling with effect from 28th May, 10th and 11th June, 1978 respectively to Shri Joginder Lal Gupta, Sub-Judge-cum-Judicial Magistrate, Kangra, Himachal Pradesh.

Certified that Shri Joginder Lal Gupta would have continued to officiate as Sub Judge-cum-Judicial Magistrate, Kangra but for his proceeding on leave.

Also certified that Shri Joginder Lal Gupta will join the same post at the same station from where he proceeds on leave.

By order,
S. P. THAPLYAL,
Deputy Registrar.

Simla-1, the 18th May, 1978

No. HHC/GAZ/14-52/75-335.—In partial modification of this Registry Notification No. HHC/GAZ/14-52/75, dated the 5th May, 1978 and in exercise of the powers vested in them by Article 53 of the Civil Service Regulations Volume I, the Hon'ble the Chief Justice and the Judges are pleased to permit Shri V. K. Gupta, Subordinate Judge-cum-Judicial Magistrate,

Sarkaghat, District Mandi, Himachal Pradesh to relinquish the charge of his office at Simla.

Shri V. K. Gupta will be entitled to transfer T. A. from Simla to Nahan. He will be entitled to one day journey day and three days joining time.

By order,
H. D. KAINTHLA,
Registrar.

हिमाचल प्रदेश सरकार

PERSONNEL DEPARTMENT

NOTIFICATIONS

Simla-171002, the 6th May, 1978

No. PER (A-I-B) 5/78.—In pursuance of provision of Section 17 read with section 10 (f) of the State Financial Corporation Act, 1951 (LXXII of 1951). Governor of Himachal Pradesh in consultation with and after obtaining the advice of the Industrial Development Bank of India as also of the Board of Directors of the Himachal Pradesh Financial Corporation, is pleased to appoint Mrs. Sarita Prasad, IAS, as Managing Director of Himachal Pradesh Financial Corporation with effect from 1st May, 1978 for a period not exceeding four years.

By order,
L. HMINGLIANA TOCHHAWNG,
Chief Secretary.

Simla-2, the 16th May, 1978

No. 1-15/73-DP-Apptt.—The Governor, Himachal Pradesh is pleased to order the following adjustments with immediate effect till further orders:—

1. Mrs. Usha Rani Mittoo, IAS, Deputy Secretary (Forests and Industries) to the Government of Himachal Pradesh shall also hold the additional charge of the post of Member Secretary, IPARA.
2. Shri Arvind Kaul, IAS, Managing Director, Himachal Pradesh State Small Industries and Export Corporation shall also hold the additional charge of the post of Managing Director, Himachal Pradesh Handicraft and Handlooms Corporation.
3. Shri R. N. Bansal, Select List Officer of I. A. S., Deputy Secretary (Home) shall also look after the work of the post of the Director of Vigilance, Himachal Pradesh during the leave period of Shri A. K. Mohapatra, IAS.

L. HMINGLIANA TOCHHAWNG,
Chief Secretary.

Simla-2, the 20th May, 1978

No. Per (Vig) C-17 (6)/78.—Consequent upon his appointment as One man Commission of Inquiry, Shri Jindra Lal retired Judge of Punjab High Court has assumed the charge of the Commission of Inquiry on the afternoon of 6th March, 1978.

R. N. BANSAL,
Deputy Secretary.

OFFICE ORDER

Simla-171002, the 23rd May, 1978

No. 1-15/73-DP (Apptt).—In partial modifications of Office Order No. 1-15/73-DP (Apptt), dated the 20th May 1978, the Governor of Himachal Pradesh is pleased to Order that the Department of Planning will also continue under the charge of Shri Y. L. Rajwade, Finance Secretary.

L. HMINGLIANA TOCHHAWNG,
Chief Secretary.

ANIMAL HUSBANDRY DEPARTMENT**CORRIGENDUM***Simla-171002, the 1st May, 1978*

No. Ahy. F. (6)-2/77.—Please substitute the word Collector Land Acquisition-cum-Sub-Divisional Officer (C) Dalhousie against the word Collector, Chamba appearing in para 4 line 4 of the notification of even number dated the 20th February, 1978.

Sd/-
Under Secretary.

CO-OPERATION DEPARTMENT**ADDENDUM***Simla-171002, the 20th May, 1978*

No. Co-op-A (3)-8/74-II.—Please add the following in para 5(b) of this Department notification of even number, dated the 31st March, 1978:—

"(c) the sums advanced from the own resource of the State Co-operative Bank are either equal or exceed the sums in the fund..."

By order,
S. K. CHAUHAN,
Secretary.

EXCISE & TAXATION DEPARTMENT**NOTIFICATION***Simla-171002, the 13th April, 1978*

No. EXN. B (3)7/76.—The Governor, Himachal Pradesh is pleased to order that Shri Jagdish Ram, Assistant Excise and Taxation Officer, Kulu, shall retire from Government Service with effect from 19-4-1978 (A. N.) on his attaining the age of superannuation on the said date.

B. C. NEGI,
Secretary.

HOME DEPARTMENT**NOTIFICATIONS***Simla-171002, the 13th April, 1978*

No. 2-10/72-Home (A).—In exercise of the powers conferred by sub-clause (ii) of clause (f) of rule 2 of the Arms Rules, 1962, the Governor, Himachal Pradesh is pleased to specially empower all the District Magistrate in Himachal Pradesh to exercise the powers of the State Government to sign the Arms Licences on form III, XI, XII, XIII and XIV of Schedule II of Arms Rules, 1962, after obtaining prior approval of the Government and to renew these licences on receipt of the requisite fee.

By order,
Sd/-
Secretary.

Simla-2, the 10th May, 1978

No. Hom(A)-A(4)-9/77.—The Governor, Himachal Pradesh, is pleased to constitute a Study Group for sending a detailed report of assessment for assisting the National Police Commission of India which has been set up with effect from 15-11-1977.

2. The terms of reference which will be required to be examined by the Study Group are as in Annexure 'A'

to this notification. Some subjects that could be taken up direct by the Study Group are furnished in Annexure 'B'.

3. The composition of the Study Group will be as follows:—

- (1) Shri Inder Singh, /
(Retd. I.G. of Police H.P.) .. Chairman
- (2) Shri Harish Chander
(Retd. I.A.S. Officer from H.P.) .. Member
- (3) Shri L. R. Malhotra
(Retd. D.I.G. Police Punjab) .. Member
- (4) Assistant Inspector General of Police
(Hqrs.), Simla .. Convener.

4. The non-official members of the Study Group will be entitled to draw T.A. (mileage and daily allowance) in respect of the journey that may be performed by them in connection with the work assigned to the group as per Annexure 'C'.

5. The term of the Study Group will be six months.

6. The Inspector General of Police, Himachal Pradesh will be the Controlling Officer in regard to the countersigning of the T.A. bills of the non-official members and the T.A. bills of these officials will be prepared in his office. The expenditure involved will be debitible to Head "255—Police—(a) Direction and Administration—(a) (i) Headquarters Staff—Travel Expenses (N.P.)".

7. The official members shall be entitled to the T.A. and D.A. admissible to them according to the rules governing them.

8. The Headquarters of the Study Group will be at Simla.

ANNEXURE 'A'

The following will be the terms of reference of the Commission:—

- (1) Re-define the role, duties, powers and responsibilities of the Police with special reference to prevention and control of crime and maintenance of public order.
- (2) Examine the development of the principles underlying the present policing system, including the method of magisterial supervision, evaluate the performance of the system, identify the basic weakness of inadequacies, and suggest appropriate changes in the system and the basic laws governing the system.
- (3) Examine, if any changes are necessary in the existing method of administration, disciplinary control and accountability.
- (4) Inquire into the system of investigation and prosecution, the reasons for delay and failure, the use of improper methods, and the extent of their prevalence, and suggest how the system may be modified or changed, and made efficient, scientific and consistent with human dignity, and how the related laws may be suitably amended.
- (5) Examine methods of maintaining crime records and statistics and suggest methods for making them uniform and systematic.
- (6) Review policing in rural areas, evaluate any new arrangements that have been made, and recommend changes that are necessary.
- (7) Examine the system of policing required in non-rural and urbanised areas including metropolitan areas, and suggest the pattern that would be the most suitable.
- (8) Examine the steps taken for modernising law enforcement, evaluate the work of police communications, the computer net-work, scientific laboratories and agencies for research and development, and examine whether modernisation can be speeded up, examine to what

- extent, as a result of the modernisation of Police forces, stream-lining of its functions and its re-structuring, it would be possible to economise in the manpower, in the various areas of its activities.
- (9) Examine the nature and extent of the special responsibilities of the Police towards the weaker sections of the community and suggest steps to ensure prompt action on their complaints for the safeguard of their rights and interests.
- (10) Recommend measures and institutional arrangements:—
- (i) to prevent misuse of powers by the police, and to examine whether police behaviour, outlook, responsiveness and impartiality are maintained at the correct level, and if not the steps such as recruitment and training which should be taken to improve them;
 - (ii) to prevent misuse of the Police by administrative or executive instructions, political or other pressure, or oral orders of any type, which are contrary to law;
 - (iii) for the quick and impartial inquiry of public complaints made against the police about any misuse of police powers;
 - (iv) for the quick redressal of grievances of police personnel and to look after their morale and welfare; and
 - (v) for a periodic objective evaluation of police performance in a metropolitan area/district/state in a manner which will carry credibility before the public.
- (11) Examine the manner and extent to which police can enlist ready and willing co-operation of the public in the discharge of their social defence and law enforcement duties and suggest measures regarding the institutional arrangements to secure such co-operation and measures for the growth of healthy and friendly public-police relationship.
- (12) Examine the methods of police training, development, and career-planning of officers and recommend any changes that are required at any time in their service, to modernise the outlook, and to make the leadership of the force effective and morally strong.
- (13) Examine the nature of the problems that the police will have to face in the future and suggest the measures necessary for dealing with them, and for keeping them under continuous study and appraisal.
- (14) Consider and make recommendations and suggestions regarding any other matter which the Government may refer to the Commission.
- (15) Any other matter of relevance or importance having an impact on the subject.
3. What can reasonably be laid down as the responsibility of the citizen in regard to—
- (i) prevention and control of crime, and
 - (ii) maintenance of public order ?
- To what extent can his responsibility be spelt out statutorily ? Existing provisions of Law on this aspect may be analysed.
4. To what extent can non-police agencies be associated with prevention of crime ? What are the practical steps for co-ordinating the preventive functions of several other departments like courts, jails, correctional services, corporations, municipalities and other local bodies in regard to several factors which induce or facilitate the commission of crime ?
5. Section 23 of the Police Act (Act V of 1861) refers to the responsibility of Police for collecting and communicating intelligence affecting the public peace only. In actual practice, police are required/expected to collect intelligence regarding a variety of matters like corruption in public services, economic offences like hoarding and blackmarketing, etc., and also regarding some matters having a bearing on national security. It may be determined what kind of intelligence duties can be legitimately performed by Police in a socialist, democratic, free society as ours.
6. What are the merits and demerits in the existing policing system including the method of magisterial supervision in addition to the departmental supervision within the police hierarchy ?
7. What are the existing provisions in law which spell out the supervisory responsibility of the magistrate in regard to maintenance of law and order and control of crime ? What are the merits and demerits in this system ?
8. What institutional arrangement can be devised to bring about certain measure of accountability of the performance of the district police to the district public themselves ? In what precise manner can representative sections of the public be associated with this exercise of calling the district police to account for their actions ?
9. The Police Act of 1861 envisages only a few ranks in the police hierarchy. In the course of years, several additional ranks have come into being in the supervisory command structure from the Constable upwards. Can a yardstick be evolved to determine the size of the supervisory structure at different levels having regard to—
- (i) the need for adequate manpower for performance of duties, and
 - (ii) the need for adequate career prospects by way of promotion and placement in the hierarchy ?
10. Are any changes necessary in the existing method of administrative and disciplinary control and accountability ?
11. Having regard to the importance of discipline in an organisation like the Police, is there a case for exempting police personnel from the operation of Art. 311 of the Constitution ? Can some arrangement be devised for summary dismissal in appropriate cases of extreme misconduct, where the formal processes of securing and recording evidence may present practical difficulties ?
12. What is the existing ratio of the armed police to the unarmed police in the districts and the State as a whole ? Is there scope for reducing the holding of arms by police ?
13. The role of home-guards in rendering assistance to police in various situations including those of a non-emergency nature.

ANNEXURE 'B'

SOME SUBJECTS THAT COULD BE TAKEN UP FOR EXAMINATION BY STUDY GROUPS

1. Quantitative increase and qualitative change in the duties the police are now being called upon to perform, in the context of the vast changes (social, economic and political) that have come about in our country after Independence. The increasing variety and complexity of the duties the police are required/expected to discharge for "maintenance of public order" may also be analysed.
2. What are the existing provisions in law which define the role, duties, powers and responsibilities of the Police in regard to—
 - (i) Prevention and control of crime, and
 - (ii) maintenance of public order.
 Are any modifications called for in this regard ? If so, for what reasons ?

14. What are generally the causes of delays in investigations and prosecutions, including court trials? What are the areas in which there is scope for minimising delays at different stages even in the existing system? What are the possible modifications in laws, rules, regulations and procedures which could eliminate these delays?
15. Are there any provisions in law which spell out unrealistic requirements of evidence in certain situations? Do these provisions induce the introduction of falsehood in the police record of investigation? What are the records that are usually fudged or padded up? What are the possible remedial measures?
16. What are the factors which induce the adoption of third degrees methods during investigations? What remedial measures can be suggested to eliminate them?
17. What are the factors which induce certain acts of police misconduct/negligence which cause acute dis-satisfaction to the public? Examples—Failure to register cases of complaints received at the police station, failure to visit scene of crime promptly, fake encounters, citizens' fear of getting themselves involved in a crime on reporting it to the police or being witness to it, etc.
18. Are any changes called for in the policing of rural areas? Have any new experiments been tried in the States in this matter? If so, with what results?
19. To what extent can rural home-guards be associated with Police functions in daily life?
20. Can Section 17 of the Police Act be suitably amended to enlarge the concept of special police officers to cover ordinary crime situations also, particularly in rural areas?
21. Is there any State legislation which confers powers on village officers to dispose of petty crimes? How is it working in actual practice? Can the provisions of such an Act be further enlarged to confer similar powers on panchayats and other local bodies to deal with a larger volume of ordinary crimes at their level without involving elaborate processes before a magistrate/judge as such?
22. What special policing arrangements are required in metropolitan areas as different from rural areas? What is the pattern that would be most suitable, having regard to the experience of the Commissioner system that now prevails in certain metropolitan towns?
23. Scope for modernising law enforcement, particularly in regard to transport/communications/forensic laboratories/agencies for research and development, etc. Scope for economising on manpower by increased modernisation of methods of work.
24. What are the special arrangements in the State for protecting the interests of weaker sections and ensuring for them—
 (a) prompt investigation of crimes against them,
 (b) adequate employment in the reserved quota, and
 (c) social equality and justice in daily life.
25. What has been the practical effect of the enforcement of the provisions of the Protection of Civil Rights Act, 1955 (previously, the Untouchability Offences) Act?
26. What are the various situations in which there is scope for misuse of powers by police and what are the remedial measures to eliminate this scope?
27. What are the defects in the existing recruitment procedures which result in the induction of personnel with improper behaviour, outlook and responsiveness into the police community at various levels? What are the special measures that can be introduced during training, both initial as also the latter in-service training, to inculcate in a police officer the proper attitudes to his work and conduct towards the public?
28. What is the existing scope for misuse of police by the higher levels in administration including the political leadership? Can an assessment be made of the quantum of existing misuse of this type? What practical measures can be suggested to insulate the police from political or other pressures which demand compliance of oral orders of an unjust or irregular or illegal nature?
29. What mechanism can be suggested for quick and impartial enquiries into public complaints of police misconduct?
30. What arrangements can be devised within the police for quick redressal of grievances of police personnel and maintenance of their welfare and morale?
31. What mechanism can be suggested for evaluation of police performance in a metropolitan area/district/state? To what extent can some non-officials be associated with this process of evaluation?
32. What special measures can be devised to deal effectively with corruption in police at various levels?
33. What are the practical methods of securing public co-operation and assistance in the discharge of police functions, generally, in daily life and in particular in regard to investigation of crime and maintenance of order? What is the possible role of the press in this matter and how to secure it?
34. What aspect of service conditions in the Indian Police Service affect the morale of police leadership? What are the necessary remedial measures?
35. What is the likely pattern of problems that the police will have to face in future on account of—
 (i) population increase;
 (ii) growing percentage of people below povertyline;
 (iii) student behaviour in schools and colleges;
 (iv) industrial urban labour activity;
 (v) rural peasant labour activity;
 (vi) increase in stress and strain in the life of slum dwellers and crowded habitations in metropolitan areas;
 (vii) growing influx of people from rural tracts to urban areas;
 (viii) growing industrialisation;
 (ix) increased use of Science and technology in the *modus operandi* of the criminals themselves;
 (x) growth of organised crime by Mafia gangs;
 (xi) guerilla activities;
 (xii) situation in border areas, particularly in North-eastern region;
 (xiii) infiltration of political elements into police ranks.
- Can some mechanism be suggested for a continuous study and appraisal of the above problems from time to time, so that the Police can be quickly and easily restructured and re-adjusted to meet these problems squarely.
36. Any other matter of relevance or importance, having a bearing or impact on any of the above subjects.

ANNEXURE 'C'

(1) *Travelling Allowance*—(i) *Journey by Rail*.—They will be treated at par with Government servants of the first grade, and will be entitled to actual rail fare of the class of accommodation actually used but not exceeding the fare in which the Government servants of the First Grade are normally entitled i.e. accommodation of the highest class by whatever name it may be called provided on the railway by which the journey is performed.

(ii) *Journey by Road*.—They will be entitled to actual fare for travelling by taking a single seat in a public bus, and if the journey is performed by motor cycle/scooters,

mileage allowance at 25 paise for km for plain areas and 33 paise per km for hilly areas; and if the journey is performed by own car, the Members will be entitled to mileage allowance at 75 paise per km for journeys in the plains and at Re. 1.00 per km in the hill areas and by full taxi at 60 paise per km (which rates are inclusive of elements of 33½ per cent increase for Himachal Pradesh).

(iii) In addition to the actual fare or mileage as per item (i) and (ii) above, a member shall draw daily allowance for the entire absence from his permanent place of residence starting with arrival at that place, at the same rate and subject to the same terms and conditions as apply to grade I Officers of the State Government.

(2) *Daily Allowance.*—(i) Non-Official members be entitled to draw daily allowance for each day of the meeting at the highest rate as admissible to a Government servant of the First Grade for the respective locality.

(ii) In addition to daily allowance for the day(s) of the meeting, a Member shall also be entitled to daily allowance for halt on tour at out-station in connection with the affairs of the committee as under:—

(a) If the absence from headquarters does not exceed 6 hours ..	30%
(b) If the absence from Headquarters exceeds 6 hours but does not exceed 12 hours ..	50%
(c) If the absence from Headquarters exceeds 12 hours ..	Full.

(3) *Conveyance Allowance.*—A member, resident at a place where the meeting of the Committee is held will not be entitled to travelling and daily allowances on the scales indicated above, but will be allowed only the actual cost of conveyance hired subject to a maximum of Rs. 10.00 per day. Before, the claim is actually paid the Controlling Officer should verify the claims and satisfy himself after obtaining such details as may be considered necessary, that the actual expenditure was not less than the amount claimed.

If such a member uses his own car, he will be granted mileage allowance at the rates admissible to officials of the first Grade subject to a maximum of Rs. 10.00 per day.

(4) The travelling and daily allowances will be admissible to members on production of a certificate by him to the effect that he has not drawn any travelling or daily allowance for the same journey and hints from any other Government source.

(5) The members will be eligible for travelling allowance for the journey actually performed in connection with the meetings of the Committee from and to the place of their permanent residence to be named in advance. If any member performs a journey from a place other than the place of his permanent residence to attend a meeting of the Committee or returns to the place other than the place of his permanent residence after the termination of the meeting, travelling allowance shall be worked out on the basis of the distance actually travelled or the distance between the place of permanent residence and the venue of the meeting whichever is less.

(6) *Members of Vidhan Sabha.*—The non-official members who are members of the Vidhan Sabha shall be entitled to T.A./D.A. in respect of journeys performed in connection with the work of the Committee on the scale as is admissible to them under "Salaries and Allowances of Members of Legislative Assembly Act" as amended from time to time.

(7) The members will not be entitled to daily allowance in connection with their assignment, when the Vidhan Sabha or the Vidhan Sabha Committee on which the members are serving is in Session as they will be drawing their daily allowance under the Salaries and Allowances of Members of the Legislative Assembly (H.P.) Act, 1971,

from the Vidhan Sabha. However if they certify, that they were prevented from attending the Session of the House or the Vidhan Sabha Committee and did not draw any daily allowance from the Vidhan Sabha, they would be entitled to daily allowance at the rate so prescribed.

(8) The provisions of rule 4.17 and 6.1 of the Himachal Pradesh Treasury Rules will apply *mutatis mutandis* in the case of over-payment made on account of Travelling Allowance to non-official members.

(9) The members will also not draw T.A. and D.A. including conveyance allowance which will disqualify them from the Vidhan Sabha.

II Official Members.—The Official Members shall be entitled to the travelling and daily allowance admissible to them according to the rules governing them.

CORRIGENDUM

Simla-171002, the 29th May, 1978

No. Home-II-F(b)-12/76.—In partial modification of this Department notification No. 16-7/70-Home, dated 9/12th November, 1971, the words "H. P. Transport (mails)—4 Vehicles" appearing at Sl. No. 4 under the Heading "INSTITUTION" may be read as "Post & Telegraph Department (Mails)—4 Vehicles".

HMINGLIANA TOCHHAWNG,
Chief Secretary.

HEALTH AND FAMILY WELFARE DEPARTMENT

NOTIFICATIONS

Simla-2, the 30th March, 1978

No. 16-11/75-H&FP.—Whereas the property specified in the Schedule hereto annexed owned by the person named in the aforesaid Schedule was requisitioned by Order No. 19-7-2(5)/53-5846, dated the 6th November, 1957 by the competent authority i.e. Deputy Commissioner of erstwhile Mahasu district for public purpose namely for housing the primary Health Centre, Mashobra under the control of Block Development Officer, Kasumti-Suni Block under the Requisitioning and Acquisitioning of Immoveable Property Act, 1952.

And whereas the rent of the said building was assessed by the Principal Engineering Officer, Himachal Pradesh defunct Territorial Council *vide* his Memo No. 2-151/58, dated the 3rd November, 1968 at the rate of Rs. 173 P.M.

And whereas the Primary Health Centre, Mashobra was transferred to the Medical Department on 1-4-59 to continue the Primary Health Centre and rent with effect from 1-4-59 to 22-9-73 at the rate Rs. 173 P.M. as assessed by the Principal Engineering Officer, Himachal Pradesh Territorial Council was paid to the owner of the above building. The owner, Shri Jag Mohan Mehra accepted the payment from 1-4-59 to 21-9-73 under protest and without any prejudice to his rights.

And whereas in the year, 1966 the case for the re-assessment of whole building including the land attached thereto of the requisitioned building was taken up by the Public Works Department authorities with erstwhile Deputy Commissioner, Mahasu. The Deputy Commissioner of erstwhile Mahasu district enquired as to whether the whole land attached to the Primary Health Centre building, Mashobra is required or not.

And whereas in response to a reference made to the Deputy Commissioner of erstwhile Mahasu district that only the building for the Primary Health Centre,

Mashobra is needed as the land attached there to was being used by the owner himself for his storage purpose etc.

And whereas the case for re-assessment of rent was taken up with the Public Works Department authority by the Deputy Commissioner of erstwhile Mahasu district *vide* his letter No. 19-M-2(5)/62-14474, dated 5th December, 1966 and in reply thereto from the Executive Engineer, Simla Division No. II, it has been stated by him *vide* his No. SD-II-B-Rent/65-21656-58, dated the 19th December, 1966 that the rent once assessed cannot be revised until and unless specific improvement and more plinth area is occupied except the Primary Health Centre building which consists of 2600 sq. ft. as earlier to agreed upon.

And whereas the Primary Health Centre functioned in this building upto the month of September, 1973, and after that this building remained under the possession of Himachal Pradesh Medical College, Simla for housing Mobile Dispensary there.

And whereas as stated above no agreement has been reached and, therefore, an arbitrator shall have to be appointed to make an award determining the amount of rent to be paid in accordance with the Act *ibid*.

Now, therefore, in exercise of the powers conferred under clause (b) of sub-section (1) of section 8 of the Requisition and Acquisition of Immoveable Property Act, 1952, the Governor of Himachal Pradesh is pleased to appoint Shri T.R. Handa, District and Session Judge, Simla as an Arbitrator in the arbitration proceedings relating to the properties specified in the Schedule given below and to make an award within a period of 3 months:—

SCHEDULE

1. *Sr. No.—1.*
2. *Name of owner with name of Tika and Mauza,—Shri Jag Mohan Mehra, Owner of Rahat Manzil.*
3. *Area.—2600 sq. ft. both ground floor and first floor.*
4. *Land.—4.11 Bighas around the building.*
5. *Rate of rent per month.—Rs. 173.*

Simla-2, the 29th April, 1978

No. HFW-F (4)-3/77 Part.—In modification of Himachal Pradesh Government notification of even number, dated the 7/8th September, 1977, the Governor of Himachal Pradesh is pleased to order the taking over of Shri Gita Vidya Pith Ayurvedic Mahavidyalaya, Palampur, (Kangra) by the Ayurveda Department of the State Government with immediate effect and to amalgamate it with the Government Ayurvedic College Paprola, District Kangra.

S. K. CHAUHAN,
Secretary.

INDUSTRIES DEPARTMENT

CORRIGENDUM

Simla-2, the 8th May, 1978

No. 5-21/75-SI. (Ext.) VOL. II.—Please read words “position in Government/Semi-Government” between the words ‘responsible’ and ‘Institution’ occurring in Col. 7(ii) of the Annexure-I to this Department Notification of even number dated the 19th December, 1977.

B.C. NEGI,
Commissioner-cum-Secretary.

Simla-171002, the 12th May, 1978

No. 1-59/74-SI.—In partial modification of this department notification of even number, dated the 18th

August, 1977 and 27th October, 1977, the Governor of Himachal Pradesh is pleased to add following members on the State Level and District (INDEXT) with immediate effect:—

I. State Level (Index)

- | | |
|--|---------------|
| 1. Secretary (I.P.A.R.A) H. P. Simla-2 | <i>Member</i> |
| 2. Executive Officer, H. P. Khadi and Village Industries Board, Simla, | <i>Member</i> |
| 3. Resident Manager, Indian Investment Centre, Chandigarh. | <i>Member</i> |

II. District Level (Index)

- | | |
|--|----------------|
| 1. Executive Engineer (Electricity) of the district concerned except Kinnaur and Lahaul & Spiti districts. | <i>Member</i> |
| 2. Sub-Divisional Officer (Electricity), District Kinnaur and Lahaul and Spiti district in respect of their districts. | <i>Member.</i> |

By order,
B. C. NEGI,
Commissioner-cum-Secretary.

LAW DEPARTMENT

NOTIFICATION

Simla-2, the 17th May, 1978

No. LLR. B(10) 3/76.—The Governor, Himachal Pradesh is pleased to grant extension in service of Shri Sham Behari Lal Grover, Deputy Director Prosecution, with effect from 15th November, 1977 to 30th November, 1977 (both days inclusive) in the public interest.

This issues with the concurrence of the Finance Department *vide* their diary No. 635-11-2/74 (Reg.), dated 30-3-1978.

JAI CHAND MALHOTRA,
L.R.-cum-Secretary.

LABOUR DEPARTMENT

NOTIFICATIONS

Simla-171002, the 1st May, 1978

No. 7-19/75-LEP-Shram.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Governor of Himachal Pradesh is pleased to publish the following Award of the Labour Court, Himachal Pradesh, Simla, between a workman namely Shri Goverdhan Singh and the Management of Himachal Pradesh Government Transport (now Himachal Road Transport Corporation) Mandi, which was received by the Government on the 20th March, 1978.

AWARD CASE NO. 53 OF 1975

The facts giving rise to this reference are that Goverdhan Singh was employed as a Conductor -cum-Cleaner in the Himachal Government Transport in the year 1966 and he continued to serve in this capacity intermittently and later on his services were terminated. He, however, was taken back in the year 1966 and continued to work as Conductor-cum-Cleaner and his services were terminated by the Regional Manager, Himachal Government Transport Mandi Region on 8th May, 1973. He raised an Industrial Dispute before the Conciliation Officer but no conciliation was successful. As the dispute had not been settled reference has been made under section 10 of the Industrial Dispute Act by the Government of Himachal Pradesh,

vide Notification No. 7-19/75-LEP-Shram, dated Simla, the 5th September, 1975. The following point has been referred for determination:

"Whether the termination of services of Shri Goverdhan Singh Conductor, Himachal Government Transport (now Himachal Road Transport Corporation) Mandi, by the Regional Manager, *vide* his memo No. TR-EST./2103-05, dated the 8th May, 1973, is justified and in order? If not what relief Shri Goverdhan Singh is entitled to get".

2. After the receipt of this reference I issued notices both to Goverdhan Singh and to the Himachal Road Transport Corporation. Both the parties have appeared. Goverdhan Singh filed his claim petition and challenged his termination of services by the Regional Manager, *vide* impugned order, dated 8th May, 1973. He has contended that the order is unlawful and invalid and is not binding on him and that after the termination of his services, the provisions contained in Section 25-F to 25-G of the Industrial Disputes Act, 1947 have not been complied with and that he was not given any notice before the termination of his services nor he was charge-sheeted nor any enquiry was made against him. He has claimed that the order of termination of services be revoked and he be ordered to be re-instated with full back wages along with other benefits.

3. The respondent Management resisted this claim and filed a reply contending that Goverdhan Singh was only a daily waged worker and was not entitled to the protection granted under Section 25-F and 25-G of the Industrial Disputes Act and his services could be terminated and had rightly been done so because they were no more required. It has been stated that the applicant is not entitled to any relief.

4. Both the parties led evidence in support of their respective pleas.

5. Today the case was fixed for arguments. The parties have arrived at a compromise. The respondent has agreed to employ the applicant as Cleaner-cum-Conductor on regular basis and an order to this effect is to be issued within one month from today. Goverdhan Singh has given up his claim for back wages and other benefits. He will be kept on probation for one year. I have recorded the statement of the applicant and Shri Brij Lal Lohia, Chief Inspector (Labour), Himachal Road Transport Corporation, the authorised representative of the respondent. In view of this compromise and in view of the evidence led by both the parties I hold and award that the order of termination of the services of Goverdhan Singh *vide* order dated 8th May, 1975 was unjustified, illegal and not binding on him. I further award that the impugned order will stand revoked and the applicant be employed as Conductor-cum-Cleaner on regular basis on a probation of one year and an order of his appointment be issued within one month. This appointment will be treated as fresh appointment. I further award that claim of the petitioner for back wages and other benefits stands rejected. No order as to costs of these proceedings.

By order,
S. M. KANWAR,
Secretary.

Anneounced

Sd/-

Presiding Officer,
Labour Court, Himachal Pradesh.
Dated 9th January, 1978.

Simla-2, the 10th May, 1978

No. 10-55/73-SI. Pt. II.—Whereas the State Government is satisfied that the leave rules applicable to the workers in the factory M/s Nahani Foundry Limited, Nahani, District Sirmur, provide benefits which in its opinion are not less favourable than those

provided in Chapter VIII of the Factories Act, 1948 (Act No. 63 of 1948).

Now, therefore, in exercise of the powers conferred by section 84 of the Factories Act, 1948 (Act No. 63 of 1948), the Governor of Himachal Pradesh is pleased to exempt the aforesaid factory from the provisions of Chapter-VIII of the said Act, in so far as it relates to the grant of annual leave with wages to its workers, for a period of one year with effect from 3-11-1977.

By order,
S. M. KANWAR,
Secretary.

MULTIPURPOSE PROJECTS AND POWER DEPARTMENT

NOTIFICATION

Simla-2, the 12th April, 1978

No. MPP-F (5)-35/75.—Whereas it appears to the Governor of Himachal Pradesh that the land is required to be taken urgently by the Punjab State Electricity Board at the public expences for a public purpose, namely for the construction of Head Works and Allied Works for Shanan Extension Project at Brot, it is hereby notified that the land in the locality described in the specification given below is likely to be required urgently for the above purpose.

2. The case being of urgent nature, it is directed under the provision of section 17(4) of the Land Acquisition Act, 1894 that the provisions of section 5-A(2) of the said Act shall not apply to this case.

3. This notification is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Land Acquisition Collector, Jogindernagar, District Mandi is hereby directed to take orders for the acquisition of the said land.

4. A plan of the land may be inspected in the office of the Collector Land Acquisition.

5. It is hereby directed under section 17 sub-section 2(c) of the Land Acquisition Act, 1894 that the Collector may on the expiration of fifteen days from the publication of this notice under section 9, sub-section (1) of the said Act, take possession of the said land.

SPECIFICATION

District : MANDI Tehsil : JOGINDERNAGAR

Village	Khasra No.	Big.	Area Bis.	Bisw.
1	2	3	4	5
BROT HADBAST No. 410.	596		5	6 8

By order,
H. S. DUBEY,
Secretary.

PUBLIC WORKS DEPARTMENT

NOTIFICATION

Simla-2, the 10th May, 1978

No. 9-9/73-PW-B.—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expenses for a public purpose, namely for P.M.K.

road, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officer for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Mandi.

SPECIFICATION

District: MANDI *Tehsil:* JOGINDERNAGAR

1	2	3	4	5	6
	81/1	0	1	2	Bagicha Chai.
	81/2	0	0	10	"
	81/3	0	0	1	"
Total ..	49		6	16	8

By order,
B. C. NEGI,
Commissioner-cum-Secretary.

REVENUE DEPARTMENT

NOTIFICATIONS

Simla-17/992, the 12th May 1978

No. 2-37/64-Rev.-I(II).—In partial modification of this Department Notification of even number dated the 26th April 1978, and in exercise of the powers vested in him under section 28(1)(a) of the Himachal Pradesh Land Revenue Act, 1953 (Act No. 6 of 1954) and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to confer the powers of Collector, upon Shri Neta Mani, Sub-Divisional Officer, (Civil) Nichar, District Kinnuar, (instead of Shri S. Padamnabhaia, Deputy Director of Industries, Himachal Pradesh Simla) to be exercised by him within the local limits of Simla district, with immediate effect.

Srinagar-171002, the 16th May, 1978

No. 4-3/77-Rev Cell-II.—Whereas it appears to the Governor Himachal Pradesh that lands likely to be required to be taken by Baira Siul Hydel Project, Government of India at the public expense for a public purpose, namely for the construction of 22 KV D/C Transmission line from Surgani to Talwara. It is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition Officer, Baira Siul Hydel Project, Dalhousie.

SPECIFICATION

District : CHAMBA *Tehsil : BHATTIYAT*

Village	Khasra No.	Area	
		Big.	Bis.
GURAL H. B. No. 96	31/2	0	8

By order,
H. S. DUBEY,
Secretary.

**भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और ज़िला बैंजिस्ट्रटों द्वारा अधिसूचनाएं
इत्यादि**

**OFFICE OF THE DEPUTY COMMISSIONER
MANDI, DISTRICT MANDI**

ORDER

Mandi, the 20th May, 1978

No. 23 MD-2 (156)/72-19525-27.—In pursuance of the powers vested in me under section 23(1) of the Himachal Pradesh Municipal Act, 1968, I, G. S. Chambial, Deputy Commissioner Mandi hereby notify the Co-option of Smt. Leela Bist W/o Shri Besar Ram Bist and Smt. Leela Tandon w/o Shri Mehar Chand residents of Upper Samkhetta, Mandi Town as Co-opted members of Municipal Committee, Mandi co-opted *vide* resolution No. 679, dated 29-4-1978 under the provision of section 11-A of the Himachal Pradesh Municipal (Amendment) Act, 1977.

G.S. CHAMBIAL,
Deputy Commissioner.

OFFICE OF THE REGISTRAR CO-OPERATIVE SOCIETIES (PRIMARY) KINNAUR DISTRICT AT KALPA

ORDER

Kalpa, the 11th May, 1978

No. Co-op. 1 (36)/55.1107-11.—Whereas the Moorang Co-op. M.P. Society Ltd. Moorang was put under liquidation *vide* this office order No. Co-op. 1 (36)/55, dated the 7th June, 1969, and no improvement has been made by the liquidators so far and the people/members of the area of operation of the Moorang Co-op. M. P. Society Ltd. Moorang want to revive it.

Whereas a meeting of the members of the said society was called by the liquidator on 17-2-1978, at Moorang and 103 members who attended the meeting resolved *vide* resolution No. 3 dated 17-2-1978, that the society should be revived.

Now, therefore, I, B. N. Kashyap, Registrar Co-operative Societies (Primary) Kinnaur district, Kalpa in exercise of the powers conferred on me under section 83 (1) of the Himachal Pradesh Co-op. Societies Act, 1968 (Act No. 3 of 1969) read with Co-operative Department Notification No. 5-8/69-Co-op. (S), dated 6-7-1972, hereby cancel the above-mentioned order dated the 7th June, 1969, *vide* which the society was put under liquidation and order its revival with immediate effect.

B. N. KASHYAP,
Registrar.

FOOD AND SUPPLIES DEPARTMENT, BILASPUR DISTRICT, BILASPUR (H. P.)

NOTIFICATION

Bilaspur, the 1st May, 1978

No. Lic. 2 (3) FDS/76-Vol-I.—In exercise of the powers conferred upon me clause 3 of the Himachal Pradesh Cement (Licensing and Control) Order, 1973, I, Milap Chand Guleria, District Food & Supplies Controller, Bilaspur district, Himachal Pradesh hereby fix the maximum price of Cement Rs. 23.43 per bag of 40 kg. net at Bilaspur including G. S. T. and other charges for the cement procured by Bilaspur district Co-op. M. & S. Federation Ltd., Bilaspur, Himachal Pradesh from Associated Cement Cos. Ltd. New Delhi. These rates shall come into force with immediate effect.

OFFICE ORDER

Bilaspur, the 1st May, 1978

No. 743.—In exercise of powers vested under the Himachal Pradesh Salt (Distribution and Price) Control Order 1971 as delegated to the undersigned under clause 2 (B) of the Salt (Distribution and Price) Control Order, 1971 by the District Magistrate, Bilaspur district, Himachal Pradesh *vide* notification No. 7697 dated 28-9-73 the whole sale rate of Iodized Salt is fixed at Rs. 29.60 per Qlt. and 33 paise per kg as retail rate at Swarghat of the consignment received by M/s Gian Chand Dharmani, Swarghat, Bilaspur district during the month of April, 1978. The retail sale rates for other places of the District will be whole sale rate i. e. Rs. 29.60 per qt. plus transportation charges @ 6½ paise and 8 paise per Qlt. per K. Metre of pacca and Kachha road respectively and actual loading unloading charges and retails commission @ Rs. 1.40 per Qtl. The dealers are required to display the price of Iodized Salt and are required to sell the Iodized Salt on the above rates, those who fail to comply with the above instructions are liable for action under Essential Commodities Act, 1955.

MILAP CHAND GULERIA,
Food and Supplies Controller.

PUBLIC SERVICE COMMISSION

NOTIFICATION

Simla-171002, the 10th April, 1978

No. 8-42/74-PSC.—Consequent upon the retirement, on superannuation, of Shri Salig Ram Ahluwalia, former Section Officer of this office with effect from 31-3-1978 (A.N.), Shri Bhumi Singh, the senior most Assistant of this office, is hereby promoted as Section Officer in the office of the Himachal Pradesh Public Service Commission, in the pay scale of Rs. 500-30-740/-40-900, with retrospective effect from 1st April, 1978 (F.N.), purely on officiating basis for a period of six months or till the post is filled in on regular basis, whichever is earlier.

2. This purely officiating promotion shall not confer on Shri Bhumi Singh any right in the matter of seniority, confirmation etc., except for pay and allowances of the post.

Sd/-
Chairman.

PUBLIC WORKS DEPARTMENT

NOTIFICATIONS

Simla-3, the 5th April, 1978

No. SE-II-R-54-1/78-4709-4712.—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely Theog-Kotkhai,-Hatkoti road it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Simla and Outer Seraj Kulu, Simla-2.

SPECIFICATION

District: SIMLA

Tehsil: THEOG

Village 1	Khasra No. 2	Area Big. 3	Bis. 4
XKOON	294/236	1	7
	298/237	2	19
	302/205	10	7
	293/242	0	16
	304/248	0	14
	318/282	18	7
	316/256	0	17
	304/248	0	14
	306/249	1	9
	308/250	0	17
	251	0	5
	252	0	8
	310/253	1	1
	312/254	3	9
	314/255	0	8
	258	0	11
	322/204	19	9
	324/285	5	19
	296/200	18	14
	326/292/242	28	0
	330/151	4	17
	238	3	3
	257	1	0
	344/152	5	3
	346/208	1	0
	240	0	8
	332/235	4	12
	334/157	6	4
	336/206	11	5
	338/232	13	15
	340/233	2	7
	342/234	19	19
	158	0	14
	156	3	5
Total ..	34	194	13

Sd/-

Superintending Engineer,
2nd Circle, H.P. P.W.D., Simla

Dharamsala, the 8th May, 1978

No. SEV-LA-PLP-49/75-WSIII/SP2-IV. —Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of Tinbar-Jaisinghpur road km 5/0 to 20/0 (Portion 10/765 to 10/925 and 11/270) in Tehsil Palampur, District Kangra. It is hereby declared that the land described in the specification below is required for the above purpose.

The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department, is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Kangra.

SPECIFICATION

District: KANGRA

Tehsil: PALAMPUR

Village 1	Khasra No. 2	Area Big. 3	Bis. 5
MALEHR	7/1	0	83
	10	0	06
	11	0	72
	9	0	38

	1	2	3	4	5
TINBAR NAGAR		15/1 15/2 299/1 8/1 300/1	0 00 42 0 00 40 0 06 37 0 04 77 0 00 46		
		Total Kita ..	9	0 20 41	
MAJHOTI		804/1 780/1 802/1 785/1 786/1 788/1 775/1	0 00 28 0 25 03 0 12 71 0 02 03 0 02 40 0 01 17 0 00 72		
		Total Kita ..	6	0 45 34	
		Sd/-			
		Superintending Engineer, 2nd Circle, H.P. P.W.D., Simla			
		Dharamsala, the 8th May, 1978			
		No. SEV-LA-PLP-49/75-WSIII/SP2-IV. —Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of Tinbar-Jaisinghpur road km 5/0 to 20/0 (Portion 10/765 to 10/925 and 11/270) in Tehsil Palampur, District Kangra. It is hereby declared that the land described in the specification below is required for the above purpose.			
		The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department, is hereby directed to take order for the acquisition of the said land.			
		A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Kangra.			
		SPECIFICATION			
		District: KANGRA			
		Tehsil: PALAMPUR			
		Area			
		Big. Bis.			
		1	2	3	5
		MALEHR	7/1 10 11 9	0 01 83 0 02 06 0 02 72 0 01 38	
		Total Kita ..		54	0 92 97
		Grand Total in Hect. ..		1-58-79	

S. P. PUNHANI,
Superintending Engineer,
5th Circle, H.P. P.W.D. Dharamsala.

भाग 3—अधिनियम, विवेयक और विवेयकों पर प्रवर समिति के प्रसिद्धेवन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेन्शल कमिशनर तथा कमिशनर आफ इकम-टैक्स हारा प्रधिसचित आदेश इत्यादि

**OFFICE OF THE COMMISSIONER OF INCOME-TAX
Patiala**

ORDERS

Patiala, the 25th April, 1978

Jurisdiction U/S 124 (1) of the Income-tax Act, 1961—
Simla Circle.

No. EB/Jurd/Simla/49.—In supersession of all previous orders in this behalf and in exercise of the powers conferred by sub-section (1) of section 24 of the Income-tax Act, 1961 and all other powers enabling him in this behalf, the Commissioner of Income-tax, Patiala directs that with effect from 1-5-1978 the Income-tax Officers mentioned in col. 2 of the schedule given below shall exercise jurisdiction as defined in col. (3) thereof:—

SCHEDULE

Sr. No.	Designation of the Income-tax Officer	Jurisdiction
1	2	3

1. Income-tax Officer, A-Ward, Simla.	(i) All Companies whether incorporated or not whose registered offices are situated within the territory comprised of in Simla, Sirmur, Solan and Kinnaur of Himachal Pradesh. (ii) All Co-operative Societies engaged in transport business whose registered offices are situated within the districts mentioned in (i) above. (iii) All Managing Agents, Managing Directors, Directors, Secretaries and Principal Officers of the companies and co-operative societies referred to in (i), (ii) above, who reside within the areas mentioned therein. (iv) Governor, Chief Minister, Minister, Ministers of State, Deputy Ministers, Speaker, Deputy Speaker and Parliament Secretaries of Himachal Pradesh Government. (v) Hon'ble Chief Justice and Hon'ble Judges of the Himachal Pradesh High Court. (vi) Secretaries to the Government of Himachal Pradesh and other Heads of Departments of Government of India and Government of Himachal Pradesh with headquarters at Simla. (vii) All persons or classes of persons within the Districts of Sirmur and Solan of Himachal Pradesh whose last	2. Income-tax Officer, B-Ward, Simla.	<p>assessed income in any of the last three assessment years or the income returned in any of the pending returns as on 1-4-1977 amounts to Rs. 1 lac or above or a person who has filed a return after 1-4-1977 and has declared income of Rs. 1 lac or above.</p> <p>(viii) All persons within the Districts of Simla and Kinnaur of Himachal Pradesh other than those assessable by the Income-tax Officer, B-Ward, Simla.</p> <p>(i) All persons within the Districts of Simla and Kinnaur of Himachal Pradesh who have income assessable under the head, 'Salaries' and have no income assessable under the head, 'Business or Profession' other than those assessable by the Income-tax Officer, A-Ward, Simla.</p> <p>(ii) All persons being registered firms, within the areas of Middle Bazar, Lower Bazar, Kasumpti, Sanjauli, Dhalli, Mashobra, Chaura Madan, Totu, Jatogh, Summer Hill, Boileauganj, Phagli of Simla Town, Tehsil Rohru, Jubbal, Kotkhai, Chopal and Suni of Simla district whose returned or assessed income for any of the last three assessment years as on 1-4-1978 is Rs. 75,000 or below.</p> <p>(iii) "All persons within the areas of Middle Bazar, Lower Bazer, Kasumpti, Sanjauli, Dhalli, Mashobra, Chaura Madan, Totu, Jatogh, Summer Hill, Boileauganj, Phagli of Simla Town, Tehsil Rohru, Jubbal, Kotkhai, Chopal and Suni of Simla district whose returned or assessed income in any of the last 3 years as on 1-4-1978 is Rs. 50,000 or below other than those assessable by the I.T.O., A-Ward, Simla in respect of items (i) to (vi)."</p>
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Provided that:—

- If an Income-tax Officer, has jurisdiction over

the firm, he will have jurisdiction over all the partners of the firm.

2. If a person is a partner in more than one firm assessed by different Income-tax Officers, the Income-tax Officer, A-Ward, Simla will have jurisdiction over such case.

3. If any case has been or is allotted under section 5 (7A) of the Indian Income-tax Act, 1922 or under section 126/127 of the Income-tax Act, 1961, the Income-tax Officer to whom the case has been or is so allotted will have jurisdiction over such case.

Patiala, the 28th April, 1978

Jurisdiction U/s 124 (1) of the Income-tax Act, 1961—Income-tax Circle, Mandi.

No. EB/31 (10)/Jurd/Mandi/59.—In supersession of all previous orders in this behalf and in exercise of the powers conferred by sub-section (i) of section 124 of the Income-tax Act, 1961 the Commissioner of Income-tax, Patiala hereby directs that with effect from 1-5-1978 the Income-tax Officer, mentioned in column 1 of the schedule given below shall exercise jurisdiction as defined in column 2 thereof:—

SCHEDULE

Designation of the I. T. O.	Jurisdiction
1	2
Income-tax Officer, Mandi.	All persons or classes of persons, incomes or classes of income or cases or classes of cases within the Districts of Mandi, Kulu, Bilaspur and Lahaul and Spiti of Himachal Pradesh.

Provided that:—

If any case has been or is allotted u/s 5 (7A) of the Income-tax Act, 1922 or u/s 126/127 of the Income-tax Act, 1961 the Income-tax Officer to whom the case has been or is so allotted will have jurisdiction over such case/cases.

V. P. GUPTA,
Commissioner.

FOREST FARMING AND ENVIRONMENTAL CONSERVATION DEPARTMENT

NOTIFICATION

Simla-2, the

No. Fts. (A) 3-1/77.—In exercise of powers conferred under section 41, 41-A and 42 of the Indian Forest Act XVI of 1927, and in supersession of all the rules on the subject, the Governor, Himachal Pradesh is pleased to make the following rules, to regulate the movement of forest produce by land routes into from and within the territorial limits of the Himachal Pradesh:—

1. These rules shall be called the Himachal Pradesh Forest Produce Transit (Land Routes), Rules, 1977.

2. These rules shall apply to the whole of the State of Himachal Pradesh.

3. These rules shall come into force forthwith provided that any action already taken or continuing under the provisions of rules already in force shall be deemed to have been taken and continued under the provisions of these rules.

4. Under these rules, unless the context otherwise requires:—

- (i) 'Act' means the Indian Forest Act XVI of 1927.
- (ii) 'Section' means a section of the said Act.
- (iii) 'Division' means an executive forest management of forests constituted for the purpose of administration of forests and notified as such by the Government.
- (iv) 'Divisional Forest Officer' means an officer holding the charge of the concerned division.
- (v) 'Conservator of Forests' means an officer holding the charge of the concerned Forest Circle.
- (vi) 'Check Post' means any post so specified under the provisions of these rules for checking and regulating the movement of forest produce.
- (vii) Other expressions used in these rules shall have the meanings assigned to them in the Indian Forest Act.

5. *Registration and property mark(s) its use.*—No person shall transport or cause to be transported any forest produce that does not bear the imprint of the registered mark.

6. All persons wishing to transport forest produce by land routes shall register at the office of the Divisional Forest Officer, the mark or marks which indicate their proprietary rights in such forest produce provided that no mark is required to be imprinted on any timber which is being transported within the concerned revenue estate only by a right-holder in consequence of a grant to that effect in his favour.

7. No person shall be allowed to register any mark(s) already registered in favour of other persons or the Government Departments. The Divisional Forest Officer may refuse registration of any mark(s) which according to him closely resemble(s) the mark(s) used by the Government Department or has/have been registered in favour of some other person(s).

8. *Issue of Certificate of Registration.*—A certificate showing the facsimile of the mark, the date of registration, the period for which it is valid and acknowledging the payment of fees shall be issued to every person registering his mark(s).

9. *Validity period of Registration Certificate.*—Every certificate of registration shall be valid for three years commencing from the 1st of January of the year of registration. The registration fee in respect of each mark shall be Rs. 5 and if the number of marks to be registered in favour of one person exceeds three, the fee shall be Rs. 10 for each such mark. However no fee is payable by any Government Department.

10. *Issue of pass for export or transport of forest produce.*—No pass shall be issued for any unmarked timber or for such timber as bears the marks not registered as herein-after provided:

- (i) The Divisional Forest Officer may refuse to issue a pass for export or transport if he has reasons to believe or for any other valid reasons that the forest produce has not been legally obtained by the applicant. However, the refusal to issue a pass shall be made in the shape of self-speaking written order.
- (ii) The person who has been refused the issue of pass may within fifteen days of the date of refusal prefer an appeal to the Conservator of Forest incharge of the area concerned and his orders on appeal shall be final.

11. *Prohibition on transport of Forest produce.*—(1) No person shall transport or cause to be transported any forest produce by land routes, without obtaining pass (Annexure 'A') from the concerned Divisional Forest Officer or any other officer so authorised.

11 (2). No person shall transport or cause to be transported any timber for conversion for saving or for sale enroute.

11. Transport Routes and other conditions.—(3) The authority issuing the pass shall prescribe the route by which the forest produce may be transported and shall also determine the check post(s) where the forest produce should be compulsorily checked in detail.

11 (4). The issuing authority shall also determine the other conditions subject to which the pass shall be issued and shall also determine the period for which the pass shall remain valid. However the validity of any pass shall under no circumstances exceed a period of six months including any extension(s) allowed. A fee of Rs. 5 shall be leviable for the issue of such a pass.

12. Issue of Challan(s).—The person in whose favour the pass has been issued or his authorised agent shall issue a challan (Annexure B) to accompany the forest produce in case all the forest produce cannot be transported at the same time and the pass cannot accompany the forest produce. The challan will be valid for a maximum of only 60 hours.

13. Setting up of check post(s).—The Divisional Forest Officer may with the permission of the Conservator of Forests notify the setting up of a check post or check posts at suitable point(s) along the roads for purposes of check and examination of forest produce.

At every check post, registers (Annexure C) to record the details of forest produce passing through the check post shall be maintained.

14. Production of pass/challan for Examination.—A Forest Officer or Police Officer may at any time require any person transporting forest produce to produce the pass/challan as issued for the transportation of such produce. No person is entitled to transport forest produce by virtue of a pass/challan which he does not himself hold but is or is stated to be in the hands of some other person.

15. Detention of forest produce and other articles etc.—In the event of the pass/challan not being produced, the Forest Officer or Police Officer may detain the forest produce, vehicles, camels, mules etc. by which it was being transported and cause the same not to move as long as may be reasonably necessary to examine the forest produce and/or till the valid pass/challan is produced.

16. Seizure of forest produce and other articles etc.—In the event of the pass/challan being not produced in reasonable time, the Forest Officer or Police Officer shall further effect seizure of forest produce and other measures of transport and other articles, in accordance with the law in force.

17. Exemption to right holders from obtaining of pass.—Notwithstanding anything contained in these rules, a right-holder who has collected forest produce in exercise of his revenue rights may, without obtaining a pass transport such forest produce within the revenue estate in which it has been so collected.

18. Bar on booking of forest produce by Rail.—No person shall offer any forest produce for export by rail on any railway station within Himachal Pradesh unless it is covered by a pass issued under these rules. Nor will the railway authorities accept any forest produce for transport by rail unless accompanied by a valid pass.

19. Bar on altering or defacing or obliterating of marks.—No person shall without the written permission of the Divisional Forest Officer alter or deface or obliterate any mark placed on any forest produce while in transit.

20. Penalty etc. for breach of rules.—Any person who contravenes these rules shall be liable to imprisonment for a term which may extend to six months or with fine which may extend to Rs. 5/- or with both and the forest produce being transported may also be seized and dealt with under the provisions of the Indian Forest Act:

Provided that the penalties will be doubled in cases where the offence has been committed after sunset or before sun-rise, or after resistance to the lawful authority or where the offender has been previously convicted of like offence.

ANNEXURE 'A'

DEPARTMENT OF FOREST FARMING AND ENVIRONMENTAL CONVERSATION GOVERNMENT OF HIMACHAL PRADESH

.....Forest Division, Himachal Pradesh. PASS FOR EXPORT OR TRANSPORT OF FOREST PRODUCE

FromForest Division.

S. No.(See Rule 11)(Original Duplicate/Triplicate/Quadruplicate).

Pass No. Dated

1. Name and full address of the person(s) to whom the pass is granted
2. Date on which issued
3. Forest Produce covered by the Pass (Details/Overleaf/attached and countersigned under office seal)
4. (a) Route(s) by which forest produce will be transported
- (b) Check Post(s) by which forest produce will be exported
5. Whence obtained
6. Place to which consigned
7. Date of expiry of permit
8. Property Marks

Notes.—(1) In case of Forest Produce being booked by rail from any railway station in Himachal Pradesh of the Northern Railway the concerned Station Master may please endorse on the back or the pass the quantity of timber or any other forest produce also booked along with the date and the destination so as to facilitate further checking.

(2) After the expiry of permit (Pass) the grantee will please report as to whether it has been availed of in full or in part.

Divisional Forest Officer
.....Forest Division
(Seal of Office to be affixed)

No. Date.....

1. Range Officer.....for information and necessary action with reference to his report No. dated
2. Incharge Check Post.....for information and necessary action (Copy for each check post to be used separately).

3. Shri/M/s.....for information and necessary action.

Divisional Forest Officer,
.....Forest Division.

ANNEXURE 'B'

S. No..... Dated.....Issued by D.F.O.
Forest Division in favour of.....
(Challan Form)

S. No..... Challan No.....

Date and Time of issue.....

Date and time of expiry.....

Spp.	Details of timber Description No.	Vol. in cum.
1	2	3

Fuel wood/ charcoal in Qts.	Other forest produce Description	Qty.	Remarks property mark export Hammer mark
4	5	6	

Name of person Incharge Produce.....
Designation.....
Check Post(s) (Via).....
(One copy of challan to be sent to each check post)
Vehicles (kind and No. etc.).....

Signature of grantee
or
Authorised agent.

ANNEXURE 'C'
(See Rule 13)

REGISTER OF EXPORT FOR TIMBER AND OTHER FOREST PRODUCE

1. Name and full address of permit holder:
2. Issuing Authority of permit:
3. Permit No. and date of issue with detail of timber or other forest produce allowed to be transported/exported:
4. Date of expiry of permit:
5. Distinctive property or Khudan Mark:
6. Place of origin/where carried;
7. Place to which consigned/Destination;
8. (i) Routes; and
(ii) Check post(s) prescribed for transport:-

Sl. No.	Date of Export	Description of timber or other produce Transported/exported			
1	2	3	4	5	6

Book No./ Challan No.	Mode of transport of person Date of challan vide which transported/ exported.	Signature of official i/c of tim- ber or other Forest produce	Signature of inspecting officer etc. with desig- nation	
7	8	9	10	11

By order,
R. C. GUPTA,
Secretary.

HOME DEPARTMENT

NOTIFICATIONS

Simla-171002, the 13th April, 1978

No. 18-77/65-Home.—In Supersession of this Department notification of even number, dated 25-6-1977 and in exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the President of India in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the following rules to amend the Himachal Pradesh Recruitment and Promotion Rules in respect of the Himachal Pradesh, Home Guards and Civil Defence Class I posts/services notified *vide* this Government notification of even number, dated 27th July, 1973:—

1. *Short title and commencement.*—(i) these rules may be called the Himachal Pradesh Home Guards and Civil Defence Services Class-I Recruitment and Promotion (3rd Amendment) Rules, 1977.

(ii) They shall come into force from the date of issue of this notification.

2. *Substitution of rule 11(ii) of Annexure.*—Rule No. 11(ii) of Annexure of H.P. Home Guards and Civil Defence Services (Class-I) Rules, 1973 shall be substituted as under:—

Rule 11(ii)—By re-employment of retired/released officers of the Indian Armed Forces of the rank of Captain or above who have served as Commissioned Officers (other than Honorary) for a period of at least three years (upper age limit in case of re-employed officers shall be 52 years).

Simla-171002, the 29th April, 1978

No. 7-39/78-Home(A).—In exercise of the powers conferred by section 7 of the Police Act (V of 1861), and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to make the following rules further to amend the Punjab Police Rules, 1934, as applicable to Himachal Pradesh Police, namely:—

Short title and commencement.—(1) These rules may be called the Himachal Pradesh Police Fifth Amendment Rules, 1977.

(2) These rules shall come into force at once.

Addition of Rules 13.7(A) 13.9(A)& 13.10(A).—In the Punjab Police Rules, 1934 as applicable to Himachal Pradesh Police Force (hereinafter referred to as "the said rules").

Rule 13.7(A) will be added after the existing Rule 13.7.

Rules 13.9 (A) will be added after the existing Rule 13.9; and

Rules 13.10(A) will be added after the existing Rule 13.10 namely:—

13.7(A) Executive Clerical cadre-promotion to the rank of Head Constable (List-C).—Constable Character Roll Clerks, Assistant Clerks, Record Keepers and contingent Clerks who put in at least 3 years of service in the executive clerical cadre will be eligible for admission to list-C of the executive clerical for which a competitive test will be held centrally if atleast 5 eligible candidates are available to take the test. The test will be conducted under the supervision of Assistant Inspector General of Police Headquarters and papers in the subjects given below, will be set by office Superintendents of the Central Police Office, and answer books will also be evaluated by them:—

Paper No.	Subjects	Max. Marks	Time hours.	Pass marks allowed
1. Essay writing in English and Precis.	50	2	25	
2. Essay writing and Precis in Hindi.	50	2	25	
3. Office procedure (covering chapters 6, 7, 8 of the office Manual and chapters 3, 4, 5, 6, 11, 12, 13, 15, 20—paras 20.6 and 20.14 of the Police Rules). (Two questions on office procedure will be compulsory for candidates belonging to English Branch and similarly 2 separate questions will be compulsory for candidates belonging to Accounts Branch from Chapters X, Paras 5, 6, and 7 thereof).	100	3	50	
				For Accounts Branch candidates:
				(i) Police Rules—Chapter X
				(ii) H.P. Budget Manual
				(iii) Fundamental Rules
				(iv) Supplementary Rules
				(v) Financial Rules Volume I and II.
				(vi) Central Treasury Rules
				(vii) Accounts Code Vol. I and II
				(viii) Classification Control and Appeal Rules.
				(ix) Leave Rules
				(x) Central Civil Service Rules (Conduct Rules).

Candidates will be brought on list-C (Executive Clerical) in the order of merit which will be worked out on the basis of the marks obtained by each in the examination referred to above and scrutiny of record etc., as for the preliminary selection to the Executive Clerical Cadre. Promotions to the rank of Head Constables will be made from this list. Posting to the English Office Accounts Branch will be made in the following order:—

- (a) On first promotion, a Head Constable will be posted as Head Constable-typist or Head Constable Record Keeper.
- (b) Next posting will be as Head Constable Character Roll Clerk/Assistant Clerk.
- (c) Further posting will be Head Constable/Head Clerk. As for Accounts Branch, on promotion Head Constable will be posted firstly as contingent or Bill Clerks from amongst contingent and Bill Clerks/Head Constables/Head Clerks/ Accountants to smaller districts will be posted.

13.9(A) Executive Clerical Cadre—promotion from Head Constable to Assistant Sub-Inspector (List-D).—Head Constable, Assistant Clerks, Head Constables, Accounts, Head Constable Contingent/Bill Clerks will be eligible for admission to list-D (Executive Clerical) for which a competitive test will be held under the supervision of Assistant Inspector General of Police/Headquarters Centrally, at least once in 3 years or earliest if some posts in the rank of A.S.I. (Executive Clerical Cadre) fall vacant. There will be following papers for this test:—

Paper No.	Subject	Max. marks allowed	Time hours.	Pass mark
1. Essay and precis writing in English ..	50	2	25	25
2. Office procedure as contained in Office Manual, Police Rules 7 Chapter X, Paras 1, 4 and 8 and Chapter XI.				
3. (i) Police Rules, Chapters I, II, III, IV, V, VI, VIII, IX, XII, XIII, XIV, XV, XVI, XVII, XIX, XXI, XXIV (Issue of special reports)				
(ii) Fundamental Rules				
(iii) H.P. Financial Rules volume I and II				
(iv) Budget Manual				
				100
				3 hours.
				50

A merit list of the candidates on the basis of marks obtained by them in the test and as a result of the scrutiny of their service record, A.C. Rs. etc., will be prepared as in the case of selections to the promotion course for Head Constables and promotions to the rank of Assistant Sub-Inspector (Assistant Clerk), A.S.I. (Head Clerk) and A.S.I. (Accountant) will be made from it. The list when drawn up will be valid for three years and those candidates on it who do not get promoted within that period will have to re-appear in the next test.

13.10(A). Executive Clerical Cadre Promotion from A.S.I. to Sub-Inspector.—A joint seniority list of the A.S.I.s, of the Executive Clerical Cadre whether working in the English or the Accounts Branch will be prepared and promotions to the rank of Sub-Inspector (Head Clerk) will be made from this. The names in this list will be entered on the basis of the date of continuous officiation in the rank of the A.S.I. Promotions to the rank of Sub-Inspector Head Clerk will be made out of this list on the usual principle of merit cum-seniority.

By order,
L. HMINGLIANA TOCHHAWNG,
Chief Secretary.

HEALTH AND FAMILY WELFARE DEPARTMENT NOTIFICATION

Simla-171002, the 28th April, 1978

No. HF W-A(3)3/77.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to make the following Rules to amend the Himachal Pradesh Health and Family Welfare Department Subordinate Class III Services (Recruitment, Promotion and Certain Conditions of Service) Rules, 1971 notified vide this Department notification No. I-197/69-H&FP, dated the 7th December, 1973 namely:—

1. Short title and commencement.—(1) These rules may be called the Himachal Pradesh Health and Family Welfare Department Subordinate Class III Services (Recruitment, Promotion and Certain Conditions of Service) (Third Amendment) Rules, 1977.

(2) They shall come into force at once.

2. Amendment to annexure I.—In the annexure to the Himachal Pradesh Health and Family Planning Department Subordinate Class III Services (Recruitment, Promotion and Certain Conditions of Service) Rules, 1971, the following amendments shall be made namely:—

- (i) the following words be added after the existing entries in column number against serial number 16
 "From amongst staff nurses and paricharikas, who possess the essential qualifications prescribed for the post of staff nurses."
- (ii) after serial number 93, 94 to 98 shall be added:—

1	2	3	4	5	6	7	8	9
94. Public Health Nurse Instructor.	1	-do-	Rs.160-400	-do-	18 to 27 years.	2nd Class B.Sc.(Hons.) Degree in Nursing from Raj Kumari Amrit Kaur College of Nursing, New Delhi or a First Class Basic B.Sc. Degree in Nursing from any other College of Nursing or A grade registered Nurse and Midwife with B.Sc. Nursing Degree and with 10 years service of staff nurse/ward sister.	N.A.	Two years which may be further extended more for the reasons to be recorded in writing.
95. Artist-cum-Draftsman.	1	-do-	Rs.160-400	-do-	-do-	Matriculate or equivalent with Science, qualified Draftsman with special experience in Art, Drawing and Photography.	—	Two years which may be further extended by one more for reasons to be recorded in writing.
96. Technical Assistant.	1	-do-	Rs.160-400	-do-	-do-	B.Sc. Trained in blood Transfusion from some recognized Institution with 3 years experience in Blood Transfusion of a big Hospital.	No	— do-
97. Gestetner Operator.	1	-do-	Rs.100-160	-do-	-do-	Matriculation or equivalent, possessing at least 2 years experience in handling a Gestetner (Cyclostyling Machine).	No	— do-
98. Leprosy Clinic Assistant.	5	-do-	Rs.100-160	-do-	-do-	Matriculation/Hr. Secondary Part I or equivalent.	No	— do-

Sd/-
Deputy Secretary.

REVENUE DEPARTMENT

NOTIFICATION

Simla-171002, the 23rd May, 1978

No. 13-39/60-Rev.I(II).—In continuation of this Department notification of even number dated the 24th February, 1978, and in consultation with the Himachal Pradesh Public Service Commission, the Governor, Himachal

Pradesh is pleased to extend the purely temporary appointment of Shri Bir Pal Singh Statistician as Director of Agricultural Census, Himachal Pradesh in the pay scale of Rs. 400—1250 with effect from 1st February, 1978 to 31st March, 1978.

By order,
 H. S. DUBEY.
 Secretary.

भाग 4—स्थानीय स्वायत शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और दाउन एरिया तथा पंचायती राज विभाग

शृण्य

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

the Agricultural Produce as specified in clause (s) of section 2 of the Act.

For the purposes of section 4(3) of the Act, this notification shall come into force 30 days before the Market Committee, Una established and constituted under sections 9 and 10 of the Act.

SCHEDULE

Sr. No. Revenue Estates Tehsil District

All the Revenue Estates including Municipal Committees and Notified Area Committees of Una District.

B. S. JOGI,
 Chairman H. P. Marketing Board, Simla-5,
 Nalagarh House.

No. HMB/5-8/77.—In exercise of the powers conferred by section 4(1) of the Himachal Pradesh Agricultural Produce Markets Act, 1969 (Act No. 9 of 1970), with reference to the Himachal Pradesh Marketing Board notification No. HMB/5-8/77, dated 27th January, 1978 (published on 25-2-1978) in Himachal Pradesh Rajpatra, issued under section 3(19) of the Act, the Board hereby declares the areas (the revenue estates) specified in the schedule to be the notified market areas of the Market Committee, Una for purposes of the Act in respect of

**PROCLAMATION UNDER ORDER 5 RULE 20
C. P. C.**

**In the Court of Shri Mohindra Kumar Dave, Collector,
Nahan Sub Division, Nahan, District Sirmur, H. P.**

Revenue Appeal No. 7/10 of 77 dated 24-2-77

1. Sunder Lal s/o Bishan Singh r/o Thorniwar, Tehsil Pachhad.

2. Jiya Lal s/o -do-

3. Rajinder Datt s/o Bishan Singh r/o village Pabore, Tehsil Rainuka.

4. Madan Lal s/o Bishan Singh, r/o village Matevar, Tehsil Pachhad.

Versus

Ram Sukh s/o Neeta Ram, r/o village Kuftu, Tehsil Renuka, Sunder Singh s/o Neeta Ram -do-

Jagat Ram s/o Neeta Ram -do-

Appeal against the order of Assistant Collector, 2nd Grade, Tehsil Renuka dated 31-12-1975 regarding correction of Khasra Girdawari of Khasra Nos. 216, 245, 244, kite 3, measuring 3 bighas 3 biswas, situated in village Kuftu, Tehsil Renuka in favour of respondents and against the appellants.

Whereas in the above noted case the respondent Shri Ram Sukh has died. The legal heirs of the respondent S/Shri Bhim Singh and Ran Singh ss/o Shri Ram Shri Ram Sukh, r/o Kuftu, Tehsil Renuka are evading the service of the summons and cannot be served in the normal course of service. Hence this proclamation (publication) is hereby issued against Shri Bhim Singh and Ran Singh respondents (Legal heirs of Shri Ram Sukh) to appear in this court on 7-6-1978 at 10 A. M. the date and time fixed for hearing personally or through an authorised agent or pleader to defend the case, failing which *ex parte* proceedings will be initiated against them.

Given under my hand and seal of the Court today the 15th May, 1978.

Seal.

**MOHINDRA KUMAR DAVE,
Collector.**

In the Court of Shri R. K. Gupta, S. S. J. Hamirpur.

CASE NO. 31 OF 1977

Ram Lok vs. Lowhki

Vs. 1. Lowhki w/o Bagga, 2 Partap Chand s/o Bagga 3 Rattan Chand s/o Bagga 4. Rattani Devi d/o Bagga Ram, 5. Bimla Devi d/o Bagga Ram residents of Lahra, Tappa Galore, Tehsil and District Hamirpur.

Whereas in the above noted case it has proved to the satisfaction of this court that the above noted defendants are hereby evading the service of the summons. Hence this proclamation is hereby issued to appear them in the court on 20-6-78 by themselves or through authorised agent at 10 A.M.

Given under my hand and the seal of the Court this 16th May, 1978.

Seal.

**R. K. GUPTA,
Senior Sub-Judge.**

ब्राह्मदालत श्री राजा राम, सिनियर सब-जज, नाहन, जिला सिरमोर (हिमाचल प्रदेश)

मुकदमा नं ० ८६/१ आफ १९७६

कर्म सिंह पुत्र श्री राजा सिंह, निवासी अमरकोट, तहसील पांडा जिला सिरमोर (हि० प्र०)।

बनाम

अमर सिंह पुत्र श्री महेशा निवासी शिवपुर, तहसील पांडा, जिला सिरमोर (हि० प्र०)।

दावा दिला पाने मुबलिंग 3,994.00 रुपये

बनामः—अमर सिंह पुत्र श्री महेशा, निवासी शिवपुर, तहसील पांडा जिला सिरमोर।

उपरोक्त मुकदमा उनवान बाला में प्रतिवादी अमर सिंह के कई बार अदालत हजा से समन जारी किये गये परतु उपरोक्त प्रतिवादी दीदा दिनिता समन की तामील से गुरेज कर रहा है। इस न्यायालय को पुरी तरह से विवास हो गया कि प्रतिवादी की तामील साधारण तौर से नहीं हो सकती।

अतः इस इश्तहार द्वारा प्रतिवादी को सूचित किया जाता है कि वह मिति 12-6-1978 को इस न्यायालय में बजात खुद या बकील द्वारा हाजिर होकर पैरवी मुकदमा करे। वरना उसके विलाप एक तरफ़ कार्यवाही अमल में लाई जायेगी।

आज मेरे दस्तखत व मोहर अदालत से आज बतारी थी 17-5-78 को जारी किया गया।

मोहर।

राजा राम,
सिनियर सब-जज,

न्यायालय श्री सी० आर० आर० कोतवाल सहायक कुलैक्टर द्वितीय श्रेणी तहसील करसोग, जिला मण्डी (हि० प्र०)

भवानी दत बनाम कपूर वर्मा दरखावास्त सेहत गिरदावरी

बनाम

वृक्ष बनाम दर्शन पुत्र मधोआत, इलका माहूं, तहसील करसोग

उपरोक्त मुकदमा उनवान बाला में उपरोक्त फरीदोपम को इस अदालत से कई बार समनात जारी किये गए थार वह जाये सकून पर दस्तावेज नहीं हो रहा है। अतः आपको इस नोटिस under order 5 रु 20 सी० पी० सी०द्वारा सूचित किया जाता है कि आप दिनांक 16-6-78 समय 10 बजे सुबह मुकाम करसोग में असालतन या बकालतन उपस्थित होकर पैरवी मुकदमा करें वरना कार्यवाही एक पक्षीय अमल में लाई जायेगी।

आज दिनांक 20-5-78 को मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

चेत राम कोतवाल,
सहायक समाहर्ता, द्वितीय श्रेणी।

न्यायालय श्री सी० आर० कोतवाल, सहायक कुलैक्टर द्वितीय
श्रेणी, तहसील करसोग, जिला बिलासपुर,

कार्यालय श्री आर० के० चौहान मव-रजिस्ट्रार कांगड़ा,
जिला कांगड़ा

प्रधान बनाम तुला राम वर्मा
दरखास्त सेहत गिरदावरी मुहाल देवधार
बनाम
1. मुरु उत्री भीखम राम, निवासी देवली धार,
2. मु० तुलु पत्नी रूप चंद, निवासी काण्डा,
3. नेवलाल पुत्र वरिया, निवासी बलिडी,
4. शीतम पुत्र नामालूम, निवासी बलिडी,
5. भगत राम, और
6. दर्शा पुत्रान भीतम राम, गांव बलिडी।

Case No. 7 of 1978

मुकदमा दरखास्त जेर वारा 40-41 रजिस्ट्रेशन एक्ट वराये
रजिस्ट्री कराने वसीयत मेहर चन्द पुत्र दर्शन, वासा० मननी, भीज़ा
बलोल तहसील व जिला कांगड़ा।

बनाम

सर्व जनता

मुकदमा मुन्दरजा उनवान वाला मैं श्री तुलु पुत्र दर्शन, वासा०
मननी, भीज़ा बलोल, तहसील व जिला कांगड़ा ने दरखास्त वराये
रजिस्ट्री कराने वसीयत उपरोक्त वारे कार्यालय मैं दी है अब:
वरिया नोटिस सर्वजनना को मूचिन किया जाना है कि प्रगर
किसी भूत्य का इस वसीयत की रजिस्ट्री होने मैं कोई उजर हो
तो वह मिति 6-6-78 अनालत या बकालतन वमुकदमा कांगड़ा
मुबह 10 बजे हजिर आकर करें। नोटिस मेरे हन्ताकर व मोहर
से जारी किया गया। मिति 15-5-78.

मोहर।

आर० के० चौहा०,
मव-रजिस्ट्रार, कांगड़ा।

इस्तहार जेर आंडर 5, रूल 20, सी० पी० सी०

उपरोक्त मुकदमा उनवान वाला मैं उपरोक्त फरीकदोषम को
कहि वार इस अदालत से समनात जारी किये गये भगर वे जाये
सकनत पर दस्तेवाब नहीं हो रहे हैं। तामील समन से गुरेज
कर रहे हैं इससे अदालत हजा को पूर्ण विष्वास हो चुका है
कि फरीक दोषम पर तामील समन साधारण तरीका से होनी
असम्भव है। अतः उनको इस नोटिस द्वारा सूचित किया जाता
कि वे दिनांक 16-6-78 समय 10 बजे सुबह मुकाम करसोग
अदालतन या बकालतन उपस्थित होकर पैरवा मुकदमा करें।
अन्यथा कार्यवाही एक पक्षीय अमल मैं लाई जावेगी।

प्राज दिनांक 20-5-78 की हमारे दस्तखत व मोहर अदालत
के जारी हुआ।

मोहर।

सी० आर० कोतवाल,
सहायक कुलैक्टर द्वितीय श्रेणी,
तहसील करसोग, जिला भीज़ा (हि० प्र०)।

न्यायालय श्री चेत राम कोतवाल सहायक कुलैक्टर द्वितीय
श्रेणी, तहसील करसोग, जिला भीज़ा (हि० प्र०)

महेश पत्नी गुणानन्द, निवासी मुहाल कलैहणी इलाका लौयर करसोग,
चहसील करसोग।

बनाम

सर्वसाधारण जनता:

दरखास्त होने अज्ञातवान श्री मोहन लाल पुत्र गुणानन्द

अपीत नम्बर तारीक रजुआ

20/2

तारीक रजुआ

4-6-77

तारीक फैसला

श्री सुरजन विह पुत्र दरखारी आदि, ग्राम निवासी अण्डुना,
तहसील घुमारवी, जिला बिलासपुर, (हि० प्र०) अरीलाप्त।

बनाम

श्री कर्म सिंह पुत्र श्री रूप सिंह प्रादि, ग्राम निवासी अण्डुना, तहसील
घुमारवी जिला बिलासपुर (हि० प्र०) रिस्पोडेंट।

अपीत अत्यंत वारा 14 बिलासपुर प्रदेश भू-राजस्व अधिनियम विद्व
आदेश सदायक कुलैक्टर दीपम श्रेणी दिनांक 17-3-76 वावत
इन्हकात नं० 716 वावा मोजा जण्डुता, तहसील घुमारवी, जिला
बिलासपुर (हि० प्र०)

इस्तहार बनाम :

1. श्री कर्म सिंह पुत्र रूप सिंह, ग्राम बैहना-जाहाणा,
 2. श्रीमती दुर्दी पत्नी बाबू राम, ग्राम हिरापुर,
 3. श्रीमती कृष्णी देवी पत्नी किरणा राम, ग्राम जीला,
 4. श्रीमती प्रेमी पुत्री रूप सिंह, ग्राम बैहना-जाहाणा परगना
गेहड़वी, तहसील घुमारवी रिस्पोडेंट वा
 5. श्री लौहका राम, 6. मंगन सिंह, 7. प्रेम सिंह पिसरान
लैहण, निवासी अण्डुता, तहसील घुमारवी जिला बिलासपुर
हिमाचल प्रदेश
- तरीकी रिस्पोडेंट।

मोहर।

चेत राम कोतवाल,
सहायक कुलैक्टर द्वितीय श्रेणी,
तहसील करसोग, जिला भीज़ा (हि० प्र०)।

बनाम

1. सुनपुर पुत्र रणजीत
2. हरी सिंहपुत्री रणजीत
3. लोमा देवी पुत्री रणजीत
4. गीता देवी पुत्री रणजीत

साकना टिक्करी, परगना
मुरावलीगढ़, तहसील रोहड़
जिला जिला (हि० प्र०)
.. फरीक दोयम ।

उक्त मुकदमे में मसूल अलंकृत जानूँज कर समन की तामील में बचता है इसलिए उन्हें इश्तहार द्वारा सूचित किया जाता है कि वह दिनांक 20-6-78 को इस न्यायालय में उपस्थित हैं कर पैरवी मुकदमा करें नहीं तो कार्यवाही एक पक्षीय की जावेगी ।

आज दिनांक 17-5-78 को मेरे हस्ताक्षर व मोहर अदालत में जारी हुए ।

अपील जेर धारा 14 हि० प्र० भू-राजस्व अधिनियम

मुकदमा उनवानबाला में फरीक दोयम नं 01 को कई बार वज्रिया समन तलब किया गया परन्तु उसको तामील न हो सकी । इस बात प्रदालत को यकीन हो चुका है कि फरीक दोयम नं 01 सुनपुर उपरांकन से वज्रिया इश्तहार अलवारी से सूचित किया जाता है कि वह मिति 19-6-1978 को मुक्त 10 बजे असालतन व बकालतन प्रदालत हजा में हाजर होकर पैरवी मुकदमा करें अन्यथा कार्रवाई एक तरफा अमल में लाई जावेगी ।

आज मिति 8-5-78 को हमारे हस्ताक्षर व मोहर अदालत में जारी किया गया ।

मोहर ।

श्री पी० मी० जस्तल,
समाहर्ता रोहड़ ।

श्री स्वयं राम! सहायक समाहर्ता,
द्वितीय श्रेणी, बड़सर,
जिला हमीरपुर ।

अदालती नोटिस

आर्डर 5, नियम 20, पी० पी० मी०

न्यायालय श्री कुलदीप चन्द्र सूद, सिनियर नव-जन
दिवानी पि० 44/76

श्री संसार चन्द्रपुर गोविन्द राम, निवासी रिवालसर, तहसील सदर,
जिला मण्डी (हि० प्र०) ... बादी ।

अदालती नोटिस

न्यायालय श्री स्वयं राम महोदय सहायक समाहर्ता द्वितीय श्रेणी,
बड़सर, जिला हमीरपुर

बनाम

दरखास्त बाबन मखफु उलखबरी श्रीमती रोशनी देवी वेवा,
2. मनेजर सिंह प्रिसर व श्रीमती बिमला देवी दखतर वेली पुत्र सुदा
झाक्काल टीका पंथल्यार, मौजा पंजाप्रा, तहसील बड़सर, जिला हमीरपुर
. सायलान ।

बनाम

वेली राम पुत्र सुवा राम सकना टीका पत्यलपारा, मौजा पंजाप्रा,
तहसील बड़सर, जिला हमीरपुर ।

उक्त मुकदमे में मसूल अलंकृत जानूँज कर हाजिर नहीं हो रहा
। उसे इश्तहार द्वारा सूचित किया जाता है कि वह जहां कहीं
ही हो वह दिनांक 10-6-78 को हाजर अदालत आवे अन्यथा
तार्थवाही एक पंक्षीप की जावेगी ।

स्वयं राम,
द्वितीय श्रेणी बड़सर, जिला हमीरपुर ।

श्री गणपत राम पुत्र मेहतवा राम, जात घिर्ण, निवासी माचल
महल चलहारग, तहसील जोगिन्द्रनगर जिला मण्डी आदि
. 'प्रतिवादी गण ।

बनाम:— 1. श्री बलबीर सिंह पुत्र उद्धम सिंह, निवासी ज्योड़, पी० श्रो०
सिल्ह, तहसील देहरा, जिला कांगड़ा (हि० प्र०) ।

2. श्री अजमीर सिंहपुत्र उद्धम सिंह, निवासी ज्योड़, पी० श्रो०
सिल्ह, तहसील देहरा, जिला कांगड़ा (हि० प्र०) ।

उक्त मुकदमे में प्रतिवादी जानूँज कर समन की तामील से बचते हैं। इसलिए उनको इस नोटिस द्वारा सूचित किया जाता है कि वह दिनांक 19-6-78 को इस न्यायालय में हाजिर होकर पैरवी मुकदमा करें वरना गैर हाजरी में कार्रवाई एक पक्षीय अमल में लाई जावेगी ।

हस्ताक्षरित व मुद्रा आज तिथि 20-5-78 को न्यायालय से जारी किया गया ।

अदालती नोटिस

मोहर ।

कुलदीप चन्द्र सूद,
सिनियर सब-जन ।

न्यायालय श्री स्वयं राम महोदय सहायक समाहर्ता द्वितीय श्रेणी,
बड़सर, जिला हमीरपुर ।

(दरखास्त तकसीम भूमि)

सूदेवार मेजर किशन चिह्न बनाम अनंत राम इत्यादि

समन बनाम हरी राम पुत्र रघवीर, 2. सोहन सिंह पुत्र मनवा, 3. श्री
स्त्री पुत्र लोहक, 4. श्रीमती रतनी देवी, 5. श्रीमती ब्यासा देवी दुखत्रान
मर सिंह साकनान टीका दलयेहड़ा, मौजा दुखत्रान, तहसील बड़सर
जिला हमीरपुर ।

बगदालत जनाब एस० आर० भारद्वाज, सहायक समाहर्ता, द्वितीय
श्रेणी, कण्डाघाट

श्रीमती जानकी देवा परस राम, सकना सतड़ोल, परगना सतड़ोल,
तहसील कण्डाघाट, जिला सोलन ।

बनाम

आम जनता

विषय:—दरखास्त दस्ती गरदावरी बाबत अराजी खसरा नं 0 758/0-11 व का रकबा मौजा सतडोन, तहसील कण्डाघाट, ज़िला सोलन (हिंगे प्र) इक्तार जेर आर्डर 5, रुल 20 जावा दिवानी बनाम आम जनता।

हरणाह श्रीननी जानकी देवी विधवा परस राम, निवासी मौजा सतडोन, तहसील कण्डाघाट ने उपरोक्त रकबा की दरखास्त दस्ती इदाज गरदावरी हमारी अदानत में गुजार रखी है। जिसमें प्रार्थी ने बताया दरखास्त दिनांक 24-5-1978 प्रार्थना की है कि सागर दान मृतवकी मालिक अराजी काफी अरसा पहले लाभल

फौत हो चुका है और उसकी पत्ती श्रीमती राम देवी उसके हयात के समय से ही उसका घर छोड़ कर दूसरे को घर में आबाद हो गई है अतः हसब दरखास्त साथला, आम जनता व, जिस किसी भी व्यक्ति को इस अराजी उपरोक्त के दस्ती गरदावरी वहक गायल किए जाने में ऐतराज हो तो वह मिति 8-6-78 को या इससे पहले असालतन या बकालतन हमारी अदालत में हाजिर होकर पेश करें। अन्यथा उपरोक्त तिथि के पश्चात् कोई भी ऐतराज किसी शख्स का स्वीकार नहीं किया जाएगा और दरखास्त प्रार्थी स्वीकृत कर दी जावेगी।

आज दिनांक 24 मई, 1978 को हमारे हस्ताक्षर जारी किया गया।

एस० आर० भारद्वाज,
महायक समाजता, द्वितीय श्रेणी।

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन LAW DEPARTMENT

NOTIFICATION

Simla-2, the 22nd April, 1978

No. LLR-E(9)25/78.—The following Acts recently passed by Parliament which have already been published in the Gazette of India, Extraordinary, Part II, Section 1, are hereby republished in the Himachal Pradesh Government Rajpathra for the information of general public:—

1. The Merchant Shipping (Amendment) Act, 1978 (Act No. 1 of 1978).
2. The Child Marriage Restraint (Amendment) Act, 1978 (Act No. 2 of 1978).

K. C. GUPTA,
Under Secretary (Law) to the
Government of Himachal Pradesh.

Assented to on 13-3-1978.

THE MERCHANT SHIPPING (AMENDMENT) ACT, 1978

(ACT NO. 1 OF 1978)

AN

ACT

further to amend the Merchant Shipping Act, 1958.

BE it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Merchant Shipping (Amendment) Act, 1978.

2. *Amendment of section 14.*—In section 14 of the Merchant Shipping Act, 1958 (44 of 1958) (hereinafter referred to as the principal Act), after clause (b), the following clause shall be inserted, namely:—

“(bb) the amounts received by the said Committee on the issue and sale of bonds and debentures;”.

3. *Amendment of section 15.*—In sub-section (1) of section 15 of the principal Act, for the word “six”, the word “twelve” shall be substituted.

4. *Amendment of section 16.*—In section 16 of the principal Act,—

(i) in sub-section (1), for the words and figures “in any other form to persons of the description mentioned in section 21 for acquisition and maintenance of ships.”, the following shall be substituted, namely:—

(a) to persons of the description mentioned in section 21—

(i) for the acquisition and maintenance of ships, including modification, reconstruction and renovation thereof; and

(ii) for meeting any short-term financial requirements;

(b) to Indian ship-yards for the construction of new ships”;

(ii) for sub-section (2), the following sub-sections shall be substituted, namely:—

“(2) The Committee shall not grant any loan or give any financial assistance under sub-section (1) except on such terms and conditions as the Central Government may from time to time specify, and any such term may, if the loan or financial assistance is granted or given to a company, provide for the appointment by the Committee of one or more directors of such company and such provision and any appointment of directors made in pursuance thereof shall be valid and effective notwithstanding anything to the contrary contained in the Companies Act, 1956 (1 of 1956), or in any other law for the time being in force or in the memorandum, articles of association or any other instrument relating to the company and any provision regarding share qualification, age limit, number of directorships, removal from office of director and such like conditions contained in any such law or instrument aforesaid, shall not apply to any director appointed by the Committee in pursuance of the term as aforesaid.

(2A) Any director appointed in pursuance of sub-section (2) shall,—

(a) hold office during the pleasure of the Committee and may be removed or substituted by any person by order in writing by the Committee;

(b) not incur any obligation or liability by reason only of his being a director or for anything done or omitted to be done in good faith in the discharge of his duties as a director or anything in relation thereto;

(c) not be liable to retirement by rotation and shall not be taken into account for computing the number of directors liable to such retirement.

(2B) Every director appointed by the Committee shall be indemnified by the Committee against all losses and expenses incurred by him in, or in relation to, the discharge of his duties, except such as are caused by his own wilful act or default.

(2C) No suit or other legal proceeding shall lie against any director appointed by the Committee for any loss or damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or any other law or provision having the force of law.”.

5. *Insertion of new section 16A.*—After section 16 of the principal Act, the following section shall be inserted, namely:—

“16A. *Borrowing powers.*—(1) The Committee may issue and sell bonds and debentures, with or without interest, for the purpose of carrying out the objects of the Fund.

(2) The bonds and debentures of the Committee shall be guaranteed by the Central Government as to the repayment of the principal and the payment of interest, at such rate as may be fixed by the Central Government on the recommendation of the Committee at the time the bonds and debentures are issued.”.

6. *Insertion of new section 17A.*—After section 17 of the principal Act, the following section shall be inserted and shall be deemed always to have been inserted, namely:—

“17. *Exemption from liability to pay Income-tax and Wealth-tax.*—Notwithstanding anything contained in any enactment for the time being in force relating to income-tax or wealth-tax, the Committee shall not be liable to pay—

- (a) income-tax in respect of its income, profits or gains; and
- (b) wealth-tax in respect of its net wealth.”.

7. *Amendment of section 18.*—In section 18 of the principal Act, for the words “and thereupon all the property vested in the Committee shall vest in the Central Government”, the following shall be substituted, namely:—

“and thereupon—

- (a) all the property vested in the Committee shall vest in the Central Government; and
- (b) all the liabilities of the Committee shall become the liabilities of the Central Government.”.

8. *Amendment of section 19.*—In sub-section (2) of section 19 of the principal Act, after clause (f), the following clause shall be inserted, namely:—

“(ff) the manner and terms of issue, sale and redemption of bonds and debentures by the Committee.”.

Assented to on 13-3-1978.

THE CHILD MARRIAGE RESTRAINT (AMENDMENT) ACT, 1978

(ACT NO. 2 OF 1978)

AN

ACT

further to amend the Child Marriage Restraint Act, 1929, and to make certain consequential amendments in the Indian Christian Marriage Act, 1872, and the Hindu Marriage Act, 1955.

Be it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*(1).—This Act may be called the Child Marriage Restraint (Amendment) Act, 1978.

(2) It shall come into force on such date as the Central Government may, by notification, in the Official Gazette, appoint.

2. *Amendment of section 2.*—In section 2 of the Child Marriage Restraint Act, 1929 (19 of 1929) (hereinafter referred to as the principal Act), for clause (a), the following clause shall be substituted, namely:—

(a) “child” means a person who, if a male, has not completed twenty-one years of age, and if a female, has not completed eighteen years of age.”.

3. *Insertion of new section 7.*—After section 6 of the principal Act, the following section shall be inserted, namely:—

“7. *Offences to be cognizable for certain purposes.*—The Code of Criminal Procedure, 1973 (2 of 1974), shall apply to offences under this Act as if they were cognizable offences—

(a) for the purpose of investigation of such offences; and

(b) for the purposes of matters other than (i) matters referred to in section 42 of that Code, and (ii) the arrest of a person without a warrant or without an order of a Magistrate.”.

4. *Amendment of section 8.*—In section 8 of the principal Act,—

(a) for the words and figures “Code of Criminal Procedure, 1898 (5 of 1898)”, the words and figures “Code of Criminal Procedure, 1973 (2 of 1974)” shall be substituted;

(b) for the words “Presidency Magistrate or a Magistrate of the first class”, the words “Metropolitan Magistrate or a Judicial Magistrate of the first class” shall be substituted.

5. *Amendment of section 10.*—In section 10 of the principal Act, for the words and figures “Code of Criminal Procedure, 1898 (5 of 1898)”, the words and figures “Code of Criminal Procedure, 1973 (2 of 1974)” shall be substituted.

6. *Amendment of certain enactments.*—The enactments specified in the Schedule are hereby amended in the manner mentioned therein.

THE SCHEDULE

[See section 6]

Year	No.	Short title	Amendments
1	2	3	4
1872	15	The Indian Christian Marriage Act, 1872.	(i) In section 60.— In condition number (1), for the words “eighteen years” and “fifteen years”, the words “twenty-one years” and “eighteen years” shall respectively be substituted; (ii) the proviso shall be omitted.
1955	25	The Hindu Marriage Act, 1955.	(i) In section 5.— In clause (iii), for the words “eighteen years” and “fifteen years”, the words

1	2	3	4	1	2	3	4
			“twenty-one years” and “eighteen years” shall respectively be substituted;				ment of the Child Marriage Restraint (Amendment) Act, 1978” shall be sub- stituted.
			(ii) clause (vi) shall be omitted.				(4) In section 18,
			(2) Section 6 shall be omitted.				(i) for the brackets, letters and words “(v) and (vi)” the words brackets and letter “and (v)” shall be substituted;
			(3) In section 12, in sub- section (1), in clause (c), for the words and figure “is required under section 5”, the words, figures and brackets “was require- d under section 5 as it stood immediately before the commence-				(ii) in clause (b), the word “and” occurring at the end shall be omitted;
							(iii) clause (c) shall be omitted.

भाग 7—भारतीय निवाचन आयोग (Election Commission of India) की वेधानिक अधिसूचनाएं
तथा अन्य निवाचन सम्बन्धी अधिसूचनाएं

शून्य

अनुप्रक

जन्म